



INSTRUCTIONS FOR AN INDIVIDUAL AQUIFER PROTECTION PERMIT APPLICATION

INSTRUCTIONS

This application is for an Individual Aquifer Protection Permit (APP). An APP allows a permittee to operate (or close) one or more discharging facilities. **Do not use this application if you are applying for a general APP or amending an existing permit.**

This document is divided into three main parts.

- 1) **Instructions** – The instructions are intended to give you basic information regarding the application process, how long the process may take and how much it will cost. More detailed information can be obtained by referencing the specific rule citation listed with each application item. Please do not submit the instructions with your application.
- 2) **General Information** – This section includes basic applicant and facility information.
- 3) **Technical Information** – This section requires information regarding the facility and specific ways the aquifer will be protected. Many of the items in this section are to be attached to the APP application. In order to save yourself time and money, ADEQ recommends that you organize all the attachments using a Table of Contents that references the application item number (Ex. “Attachment 1 – Facility Description (Item 12)”).

GENERAL APPLICATION PROCESS

- 1) Applicant **submits three bound (comb or spiral) copies** of the application including attachments, the initial fee, and a cover letter that provides a general overview of the project (briefly describe nature of business, list discharging facilities, describe treatment and disposal). **At least one copy of the application must be submitted with the original signature.**
- 2) Applicant satisfies any administrative deficiencies
- 3) Applicant satisfies any substantive deficiencies
- 4) Internal/external review of draft permit and fact sheet.
- 5) 30 day public participation period (calendar days)
- 6) Public hearing (if needed)
- 7) ADEQ’s sends a Decision to Grant/Deny the application
- 8) ADEQ sends the final bill
- 9) Applicant pays the bill
- 10) The division director signs the permit or denies the application
- 11) ADEQ mails the permit

FEES

The permit team assigned to your project will bill at a rate of \$122.00 per hour up to a maximum fee of \$200,000 in accordance with A.A.C. R18-14-101 *et seq.*

ADEQ will provide monthly invoices for the interim permit fees. If full payment is not received within the prescribed timeframe on the invoice, ADEQ will consider the nonpayment as “willful neglect” pursuant to A.R.S. § 49-113(B). As provided by A.R.S. § 49-113(B), ADEQ will, in addition to any applicable interest rate, collect an additional five percent penalty of up to twenty five percent of the amount due for each month or fraction of a month the amount is past due. ADEQ may also refer this matter to the Office of the Attorney General for appropriate legal action. ADEQ will also cease any and all work on your application and initiate a denial of the pending application at that time.

PERMITTEE

The permittee shall be the person responsible for complying with the terms and conditions of the APP.

APPLICANT

The applicant shall be the person signing the application.

HOW LONG DOES THE APPLICATION PROCESS TAKE?

Licensing Time Frames (LTF) are specified by Arizona Department of Environmental Quality in A.A.C. R18-1-525, which limits the number of business days ADEQ can review your project without a penalty. LTF for an individual permit automatically defaults to an “Individual Permit (no public hearing)”. ADEQ may reassign the license time if a public hearing is required or if the application is deemed “complex” in accordance with A.A.C. R18-1-501(9).

License Type	Administrative Completeness Review	Substantive Review	Overall Time Frame
Individual Permit (no public hearing)	35	186	221
Individual Permit (with public hearing)	35	231	266
Complex Individual Permit (no public hearing)	35	249	284
Complex Individual Permit (with public hearing)	35	294	329

WITHDRAWING YOUR APPLICATION

An application may be withdrawn by the applicant at any time during the application process in accordance with A.A.C. R18-1-517. You may withdrawal your application by submitting a written request to the reviewer assigned to your project. Withdrawing your application causes the LTF to cease. A final bill will be assessed at the time of withdrawal.

WHERE DO I SUBMIT MY APPLICATION?

Submit your application to:

Arizona Department of Environmental Quality
 Groundwater Section
 Attn: LTF Application Clerk
 1110 West Washington Street, Mail Code 5415B-3
 Phoenix, AZ 85007

WHERE DO I GET HELP?

A copy of the rules and statutes relating to APP can also be found on this website. It is strongly recommended that you review the applicable rules and statutes to ensure that you provide a complete and accurate application. ADEQ recommends scheduling a pre-application meeting to go over the various details of the program (The first hour of the pre-application meeting is free). During the application process, you are encouraged to communicate with the project team to resolve any issues that may arise during the process.



**INDIVIDUAL AQUIFER PROTECTION
PERMIT APPLICATION**

GENERAL INFORMATION

1 Applicant [A.A.C. R18-1-503(1)] – Person signing the application

(Check One) Owner Operator Owner and Operator Email _____
 Name _____ Phone _____
 Title _____ Business _____
 Mailing Address _____ City _____ State _____ Zip _____

2 Permittee – Person responsible for complying with the terms and conditions of the APP

(Check One) Owner Operator Owner and Operator Email _____
 Name _____ Phone _____
 Title _____ Firm Name _____
 Mailing Address _____ City _____ State _____ Zip _____
 Billing Address _____ City _____ State _____ Zip _____

3 Landowner(s)

Check this box if the person listed below is not the applicant, include a copy of the Lease or Contract
 Name _____ Phone _____
 Title _____ Business _____
 Mailing Address _____ City _____ State _____ Zip _____

4 Facility Name [A.A.C. R18-1-503(2)]

Facility Name _____
 New Currently Operating

5 Authorized Agent [A.A.C. R18-1-503(3)]

Check this box if the person listed below is authorized to act as an “Agent” on behalf of the applicant
 Email _____
 Name _____ Phone _____
 Title _____ Firm Name _____
 Mailing Address _____ City _____ State _____ Zip _____

6 Completed Form [A.A.C. R18-1-503(5)]

I have completed and signed the APP application.

7 Initial Fee [A.A.C. R18-1-503(6) and R18-14-103]

Check this box if an initial fee of \$2,000 is attached.

8 Facility Address and Location Information [A.A.C. R18-9-A201(B)(1)]

Address _____
 City _____ State _____ Zip _____
 County _____
 Township _____ Range _____ Section _____ Qtr1 _____ Qtr2 _____ Qtr3 _____
 Latitude _____ ° ' "N Longitude _____ ° ' "W NAD27 NAD83

9 Emergency Contact [A.A.C. R18-9-A202(A)(11)]

Name

Phone

10 Legal Description [A.A.C. R18-9-A201(B)(1)]

Legal Description

11 Operational Life [A.A.C. R18-9-A201(B)(1)]

The operational life of the facility is

12 Facility Description [A.R.S. § 49-243(K)(8)]

I have attached a facility description that includes the following information:

- A) General description of what the facility does.
 - B) When operations began or are estimated to begin.
 - C) A general description of your process as it relates to the discharge. List all operational and closed discharging facilities, source of the wastewater, and where the wastewater is discharged.
- Yes (include as attachment)

13 Existing Environmental Permits [A.A.C. R18-9-A201(B)(1)]

List any other federal or state environmental permits issued for or needed by the facility, including any individual permit, Groundwater Quality Protection Permit, or Notice of Disposal that may have previously authorized the discharge (insert additional rows if necessary).

14 Certificate of Disclosure [A.A.C. R18-9-A201(B)(2)]

Are you required to file a certificate of disclosure according to A.R.S. § 49-109? Yes (include as attachment) No

15 Compliance with Zoning [A.A.C. R18-9-A201(B)(3)]

I have attached evidence that the facility complies with applicable municipal or county zoning ordinances, codes and regulations? Yes (include as attachment)

16 Technical Capability [A.A.C. R18-9-A202(B)]

I have attached evidence that the applicant has the ability to carry out the terms of the permit (design, construction, operation, closure).

The attached evidence includes:

- A) Pertinent licenses or certifications held by the person.
 - B) Professional training relevant to the design, construction, or operation of the facility.
 - C) Work experience relevant to the design, construction, or operation of the facility.
- Yes (include as attachment)

17 Cost Estimates [A.A.C. R18-9-A201(B)(5)]

Description	Cost Estimate
Construction	\$
Operation	\$
Maintenance	\$
Closure	\$
Post-closure	\$

I have attached documentation supporting the cost estimates listed above? Yes (include as attachment)

18 Financial Demonstration [A.A.C. R18-9-A203]

- A) I have attached a letter by the Chief Financial Officer stating that the applicant is financially capable of meeting the costs listed in the above item. Yes (include as attachment)
- B) For government entities, submit a statement that indicates how the entity is capable of meeting the costs in Item 17 above. Yes (include as attachment)

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- C) For non-government entities, submit the information required for at least one of the financial assurance mechanisms listed below that covers the closure and post-closure costs submitted in Item 17, including:
1. The selected financial mechanism or mechanisms;
 2. The amount covered by each financial mechanism;
 3. The institution or company that is responsible for each financial mechanism used in the demonstration; and
 4. Any other details that demonstrate how the applicant is financially capable of meeting the costs described in Item 17.

Select Financial Mechanism (Check all that apply)	
<input type="checkbox"/> Financial Test for Self-Assurance	<input type="checkbox"/> Letter of Credit
<input type="checkbox"/> Performance Surety Bond	<input type="checkbox"/> Insurance Policy
<input type="checkbox"/> Certificate of Deposit	<input type="checkbox"/> Cash Deposit
<input type="checkbox"/> Trust Fund	<input type="checkbox"/> Guarantees

Note: Please reference A.A.C. R18-9-A203 for specific financial mechanism requirements.

19 Conformance with Area-wide 208 Quality Management Plan FOR SEWAGE TREATMENT FACILITIES (STF) ONLY [A.A.C. R18-9-A201(B)(6)]

Is the STF in conformance with the 208 plan? Yes No (submit request to determine conformance)

20 Compliance History (A.A.C. R18-9-A202(A)(11))

Have there been compliance or enforcement actions relating to this facility within the last 5 years? Yes No
 Applicant has provided a history of compliance and enforcement actions relating to this facility for the last 5 years.
 Yes No

21 Design Flow [A.A.C. R18-9-101(13)]

Please provide the design flow in gallons per day for all the discharging facilities located at the Site. Calculations for determining design flow must be attached part of this application. "Design flow" means the daily flow rate a facility is designed to accommodate on a sustained basis while satisfying all Aquifer Protection Permit discharge limitations and treatment and operational requirements. The design flow either incorporates or is used with appropriate peaking and safety factors to ensure sustained, reliable operation. The design flow will be used to calculate the Annual Registration Fee in accordance with Arizona Revised Statutes § 49-242.

Design Flow _____ gallons per day

22 Process Flow Diagram [A.A.C. R18-9-A202(A)(11)]

Describe the activity producing the discharge. (Example – wastewater treatment, dewatering, cooling, manufacturing, etc.). Include pertinent elements of water processing or treatment that could affect the quality of the water discharged in a process flow diagram.

Process flow diagram page number _____

23 List of Discharging Facilities [A.R.S. § 49-241]

Operational Discharging Facilities		
Description	Latitude	Longitude
Discharging Facilities to be Closed Under this Permit		
Description	Latitude	Longitude

Please insert additional rows, if more space is needed.

24 Disposal Method (Check all that apply) [A.R.S. § 49-241]

<input type="checkbox"/> Outfall to Navigable Water	<input type="checkbox"/> Land Treatment Area
<input type="checkbox"/> Recharge	<input type="checkbox"/> Injection Well
<input type="checkbox"/> Surface Impoundment	<input type="checkbox"/> Reuse
<input type="checkbox"/> Leach Field	<input type="checkbox"/> Other

25 Technical Requirements (Check all that have been attached. See Rule Citation for Specific Requirements)

Description	Page #	Attached?
A) Maps [A.A.C. R18-9-A202(A)(1)]		<input type="checkbox"/>

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B) Site Plan [A.A.C. R18-9-A202(A)(2)]		<input type="checkbox"/>
C) Design Documents [A.A.C. R18-9-A202(A)(3)]		<input type="checkbox"/>
D) Characterization of Discharge [A.A.C. R18-9-A202(A)(4)]		<input type="checkbox"/>
E) Description of Best Available Demonstrated Control Technology [A.A.C. R18-9-A202(A)(5)]		<input type="checkbox"/>
F) Compliance with Aquifer Water Quality Standards at the Point of Compliance [A.A.C. R18-9-A202(A)(6)]		<input type="checkbox"/>
G) Contingency Plan [A.A.C. R18-9-A202(A)(7) and R18-9-A204]		<input type="checkbox"/>
H) Hydrogeologic Study or <input type="checkbox"/> Justification that a limited study or no hydrogeologic study is required [A.A.C. R18-9-A202(A)(8)]		<input type="checkbox"/>
I) Detailed proposal indicating alert levels, discharge limitations, aquifer quality limits, monitoring requirements (discharge, groundwater and operational monitoring), and compliance schedule items. [A.A.C. R18-9-A202(A)(9)]		<input type="checkbox"/>
J) Closure and post-closure plans [A.A.C. R18-9-A202(A)(10)]		<input type="checkbox"/>
SEWAGE TREATMENT FACILITIES (STF) ONLY		
K) For a STF provide a map demonstrating that setbacks have been met [A.A.C. R18-9-B201(I)]		<input type="checkbox"/>
L) Design Report [A.A.C. R18-9-B202 and B203]		<input type="checkbox"/>
M) Engineering Plans [A.A.C. R18-9-B203]		<input type="checkbox"/>

26 Point of Compliance [A.A.C. R18-9-A202(A)(6)]

Latitude _____ ° _____ ' _____ " N Longitude _____ ° _____ ' _____ " W
 Lat/Long Coordinate System: NAD27 NAD83
 Existing Well Proposed Well Proposed Point

Narrative Description of POC Location:

27 Reclaimed Water Classification (FOR STF ONLY)

Reclaimed Water Classification: A+ A B+ B C

28 Certification Statement [A.A.C. R18-9-A201(B)(7)]

I certify under penalty of law that this Aquifer Protection Permit application and all attachments were prepared under my direction or authorization and all information is, to the best of my knowledge, true, accurate and complete. I also certify that the APP discharging facilities described in this form is or will be designed, constructed, operated, and/or closed in accordance with the terms and conditions the Aquifer Protection Permit and applicable requirements of Arizona Revised Statutes Title 49, Chapter 2, and Arizona Administrative Code Title 18, Chapter 9 regarding aquifer protection permits. I am aware that there are significant penalties for submitting false information, including permit revocation as well as the possibility of fine and imprisonment for knowing violations.

Print Name _____

Signature _____ Date _____

Pursuant to A.R.S. § 41-1030:

- (1) ADEQ shall not base a licensing decision, in whole or in part, on a requirement or condition not specifically authorized by statute or rule. General authority in a statute does not authorize a requirement or condition unless a rule is made pursuant to it that specifically authorizes the requirement or condition.
- (2) Prohibited licensing decisions may be challenged in a private civil action. Relief may be awarded to the prevailing party against ADEQ, including reasonable attorney fees, damages, and all fees associated with the license application.
- (3) ADEQ employees may not intentionally or knowingly violate the requirement for specific licensing authority. Violation is cause for disciplinary action or dismissal, pursuant to ADEQ's adopted personnel policy. ADEQ employees are still afforded the immunity in A.R.S. §§ 12-821.01 and 12-820.02.